

Notice of Allowability

Application No.

09/871,351

Examiner

Christopher P. Grey

Applicant(s)

HOLMQUIST ET AL.

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendmends filed on October 31, 2005.
2. ☒ The allowed claim(s) is/are 1-8, 19-25, 33-46, 61-90, now renumbered as 1-59.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

1. Responsive to the amendment filed on October 31, 2005, claims 9-18, 26-32, 47-60 have been cancelled as requested.

Response to Arguments

2. Applicant's argument's, see pages 16-24 filed on October 31, 2005 with respect to claims 1-8, 19-25, 33-46, 61-90, now renumbered as claims 1-59 have been fully considered and are persuasive. The rejections of claims 1-8, 19-25, 33-46, 61-90 have been withdrawn.

Allowable Subject Matter

3. Claims 1-8, 19-25, 33-46, 61-90, now renumbered as claims 1-59 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 19, 33, 40, 61, 68, 76, 84, the prior art of record fails to disclose or fairly suggest a **communication system comprising: a plurality of physical layer devices having a first channel port associated with a first class of service and a second channel port associated with a second class of service, a local interface for establishing a plurality of channel connections between each of the plurality of ATM communications channels and the first channel port and the second channel port, where the local interface has a plurality of addresses, and**

each of the plurality of channel connections associated with the plurality of second channel ports is via one of the plurality of addresses and at least two of the plurality of channel connections associated with the plurality of first channel ports is via no more than one of the plurality of addresses.

It is noted that the closest prior art of record, Shinohara discloses a switching system within an ATM environment comprising an arbitrator for selecting a service class of the incoming data and selecting the corresponding output port for the incoming data received at an input port according to the class of service. However, Shinohara fails to disclose or render obvious the above underlined limitations as claimed

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Delattre et al (US 6606302) discloses a method for the control of flows within an ATM switch where the flows are categorized based on service class and associated with a correspond port/s.

(b) Delvaux (US 6718419) discloses communication system within the ATM environment, implementing a data bus address extender.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Grey whose telephone number is (571)272-3160. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571)272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Grey
Examiner
Art Unit 2667

C. Grey
11/22/05



CHI PHAM
SUPERVISORY PATENT EXAMINER
ELECTRONIC BUSINESS CENTER

11/23/05